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February 15, 2007

Commissioner for Patents  
**MAIL STOP AMENDMENT**  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Applicants: WEST et al.  
Title: **PHOSPHATE DERIVATIVES OF PHARMACEUTICAL PRODUCTS**  
Serial No.: 10/551,201  
Filed: September 27, 2005  
Art Unit: 1615  
Examiner: (not yet assigned)  
Docket No: 05-223-US

Dear Sir:

Enclosed are the following for filing in connection with the above-referenced application:

1. A Supplemental Information Disclosure Statement;
2. A completed Form PTO-1449, with copies of cited references; and
3. A self-addressed stamped postcard, return of which is requested to acknowledge receipt of the enclosed documents.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

**MAILED**

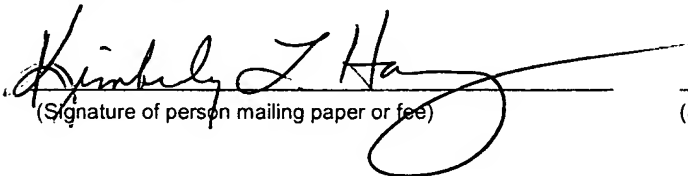
☒ Deposited with the United States Postal Service on February 15, 2007, with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

**FACSIMILE**

☐ transmitted by facsimile on [date] to the U.S. Patent and Trademark Office.

Kimberly L. Haney

Type Signature Name

  
(Signature of person mailing paper or fee)

\_\_\_\_\_  
(Signature of person mailing paper or fee)

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Commissioner for Patents  
February 15, 2007  
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The Director is authorized to any additional payment due in connection with this submission, or to credit any overpayment, to Deposit Account No. 18-0582. A duplicate copy of this authorization is enclosed.

Very truly yours,

REED SMITH LLP

A handwritten signature in black ink, appearing to read "James G. Dilmore", written over a horizontal line.

By

James G. Dilmore  
Reg. No. 51,618

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**WEST et al.**

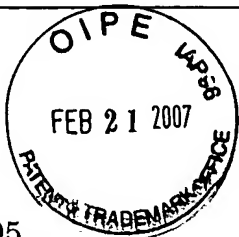
Serial No.: 10/551,201

Filed: September 27, 2005

Art Unit: 1615

Examiner: (not yet assigned)

Atty. Docket No.: 05-223-US



**PHOSPHATE DERIVATIVES OF  
PHARMACEUTICAL PRODUCTS**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Kimberly L. Haney

(Signature of person mailing paper or fee)

**FACSIMILE**

☐ Transmitted by facsimile on, to the U.S. Patent and Trademark Office telefax number 703- .

(Signature of person mailing paper or fee)

1. ☒ Enclosed is PTO Form 1449 (and a duplicate thereof).
2. ☐ Items listed on the enclosed Form PTO-1449 are not in the English language.
- ☐ For each of the following items, an English-language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed: .
- ☐ For each of the following items, a concise explanation of that item is incorporated in the specification of the above-identified application: .
- ☐ For each of the following items, a corresponding U.S. or other English-language patent is enclosed. Please consider the U.S. or other English-language patents in accordance with the procedure set forth in MPEP § 609:
- ☐ that are U.S. patents or publications, no copies are being provided in accordance with the Official Gazette Notice of August 5, 2003.

3. ☐ **Submission in Accordance with 37 CFR § 1.98(d).**

Any copy of the items listed on the enclosed Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in Application Serial No. [Ser. No.], filed [Date], of which the present application relies upon for an earlier filing date under 35 U.S.C. 120.

4. ☒ **Submission in Accordance with 37 CFR § 1.97(b).**

This Information Disclosure Statement is being filed

- ☐ With the application;
- ☐ Within three months of the filing date of a national application;
- ☐ Within three months of the date of entry of the national stage in an international application; or
- ☒ Before the mailing date of a first Office Action on the merits,

and NO FEE is due for consideration of this Information Disclosure Statement.

5. ☐ **Submission in Accordance with 37 CFR 1.97(c).**

This Information Disclosure Statement is being filed before the first mailing date of either

- ☐ A final action under § 1.113; or

☐ A notice of allowance under § 1.311.

☐ A fee is due for consideration of this Information Disclosure Statement and the fee is paid below; or

☐ This Information Disclosure Statement is accompanied by one of the certifications pursuant to 37 CFR § 1.97(e), and NO FEE is due for consideration of this Information Disclosure Statement.

6. ☐ **Submission in Accordance with 37 CFR 1.97(d).**

This Information Disclosure Statement is being filed after the mailing date of either

☐ A final action under § 1.113; or

☐ A notice of allowance under § 1.311,

whichever comes first, but before payment of the issue fee, and is accompanied by

a. One of the certifications pursuant to 37 CFR § 1.97(e), which is set forth below;

b. The attached petition requesting consideration of this Information Disclosure Statement; and

c. The petition fee under 37 CFR § 1.17(i)(1), which is paid below.

7. **Certification Pursuant to 37 CFR 1.97(e).**

☐ The undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ The undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

8. **Fee Payment Being Made.**

☐ Enclosed

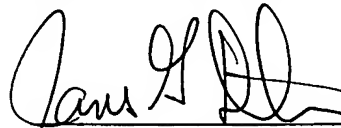
☐ \$180.00 fee for submission under 37 CFR § 1.97(c).

☐ \$180.00 fee for submission under 37 CFR § 1.97(d).

☐ A check in the amount of \$[Amount] to cover the fee payment is enclosed.

- ☐ Charge the fee to Deposit Account No. 18-0582. A duplicate copy of this communication is attached.
- ☒ The Director is hereby authorized to charge payment of any additional fees associated with this Information Disclosure Statement or credit any overpayment to Deposit Account No. 18-0582. A duplicate copy of this communication is enclosed.

Respectfully submitted,



James G. Dilmore  
Reg. No. 51,618

Dated: February 15, 2007

REED SMITH LLP  
P.O. Box 488  
Pittsburgh, PA 15230-0488  
(412) 288-3813

Agent for Applicants



<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (MODIFIED) U.S. PATENT AND TRADEMARK OFFICE</b>  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (37 CFR 1.98(b))	<b>ATTY. DOCKET NO.</b> 05-223-US	<b>SER. NO.</b> 10/551,201
	<b>APPLICANT</b> WEST et al.	
	<b>FILING DATE</b> September 27, 2005	<b>GROUP</b> 1615

#### U.S. PATENT DOCUMENTS

Examiner Initial	Cite No. <sup>1</sup>	Patent Number	Issue Date	Patentee	Class/ Subclass	Filing Date
_____						

#### FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Examiner Initial	Document Number	Publication Date	Country or Patent Office	Class/ Subclass	Translation Yes/No
_____	2000/69865	11/2000	WO		
_____	2002/40033	5/2002	WO		
_____	2002/40034	5/2002	WO		
_____	2003/049774	6/2003	WO		
_____	2004/014432	2/2004	WO		

#### OTHER DOCUMENTS

(Including Author, Title, Date, Relevant Pages, Place of Publication)

Examiner Initial	Cite No. <sup>1</sup>	
_____	1.	WPI Abstract XP-002376571, JP5069111, September 30, 1993
_____	2.	WPI Abstract XP-002981636, JP5069111, September 30, 1993

EXAMINER	DATE CONSIDERED

**EXAMINER:** Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.